

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Case No. 16 cv 107

LANTERN BUSINESS CREDIT, LLC, a
Delaware limited liability company,

Plaintiff,

v.

ALIANZA TRINITY DEVELOPMENT GROUP
LLC., a Florida limited liability company,
ALIANZA TRINITY HOLDINGS LLC, a Florida
limited liability company, BRIGHT'S CREEK
GOLF CLUB, LLC, a North Carolina limited
liability company, PASQUALE GIORDANO, and
OMAR BOTERO,

Defendants.

**MOTION FOR THE EXPEDITED
APPOINTMENT OF A RECEIVER
AND PRELIMINARY INJUNCTION**

Plaintiff Lantern Business Credit, LLC ("Lantern"), through counsel and pursuant to Rule 66 of the Federal Rules of Civil Procedure, moves the Court for an Expedited Order appointing a receiver for Alianza Trinity Development Group LLC and Bright's Creek Golf Club, LLC. Lantern further moves for a Preliminary Injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure, directing the officers, directors and representatives of Alianza Trinity Development Group LLC and Bright's Creek Golf Club, LLC to cooperate with the receiver and to relinquish possession and management of the property of Alianza Development and Golf Club.

In support of this Motion, Lantern relies on the Complaint (including exhibits thereto), the Affidavits of T. Houston Duncan and Tony Hyde, and the Memorandum in Support of Motion filed contemporaneously herewith.

Lantern nominates Marc Rudow, an attorney practicing with the Asheville, North Carolina law firm Roberts & Stevens, P.A., as Receiver. Mr. Rudow has served in the role of a court-appointed receiver in other actions and is available to serve as receiver in this case.

Lantern submits a proposed Order setting forth the scope of proposed authority of the receiver, which proposed Order is attached as Exhibit A.

This the 6th day of May, 2016.

/s/Neale T. Johnson

Neale T. Johnson

N.C. State Bar No. 25590

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/s/Manning A. Connors

Manning A. Connors

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BRIGHT'S CREEK GOLF CLUB, LLC, a
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BOTERO,

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CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and via email and mailed a copy via US Postal Service to the following:

Robert A. Mays
Mark A. Pinkston
Van Winkle Buck Wall Stames & Davis, PA
11 North Market Street
PO Box 7376
Asheville, NC 28801-7376

/s/ Manning A. Connors
Manning A. Connors